

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

AMIKHET EN MATTI,)	
)	
Petitioner,)	4:03cv3258
)	
vs.)	MEMORANDUM AND ORDER
)	
ROBERT HOUSTON,)	
)	
Respondent.)	

This matter is before the court on filing no. 51, the respondent's Motion to Limit the Respondent's Obligation to Respond and for Enlargement of Time; and filing no. 52, the petitioner's Objection to the respondent's motion. Filing no. 51 is denied, and filing no. 52 is sustained. In light of the length of time this case has been pending and the admonitions stated in filing no. 47, the Amended Progression Order entered on April 4, 2006, I will adhere to the schedule for the submission of briefs set out in filing no. 47, adjusted slightly for the delay caused by filing no. 51.

THEREFORE, IT IS ORDERED:

1. That, by **May 19, 2006**, the respondent shall file an Answer to the § 2254 petition on the merits of the petitioner's remaining 19 claims and any affirmative defenses to those claims, in the manner contemplated by Rule 5 of the *Rules Governing Section 2254 proceedings in the United States District Courts*, as amended; a motion or limited response of any kind will not be acceptable in lieu of a comprehensive Answer to the § 2254 petition;

2. That, by **May 19, 2006**, the respondent shall also file a brief in support of all asserted affirmative defenses, e.g. procedural default, to the 19 claims;

3. That, by **June 20, 2006**, the petitioner shall file a brief in support of the petitioner's claims (any or all of the 20 claims asserted in the § 2254 petition); any claims which are not discussed in the petitioner's brief may be deemed abandoned;

4. That, by **July 20, 2006**, each party shall reply to the other's brief and may add any further information that party believes the court should consider; for example, the petitioner may wish to address the issues of cause and prejudice to excuse any procedural default; the respondent may wish to respond to the petitioner's arguments regarding the merits of the petitioner's 19 additional claims;

5 That the court has possession of the Nebraska Court of Appeals Transcript

in Case No. A-01-237 and the Bill of Exceptions in State v. Coker, District Court of Sarpy County, Doc. CR9, No. 40 (3 volumes); if any other state court records are not in the court's possession, e.g., decisions by the Nebraska district and appellate courts, briefs by parties in the district and appellate courts, etc., those documents shall be delivered to the Clerk of Court by **May 19, 2006**; and

6. That the parties shall adhere to the above schedule and shall not overlook deadlines or request extensions of time.

May 5, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge